

§ 82 6 Agreements to be bound by card reports

(a) Except as provided in this section, each employer shall present to the deputy commissioner in the compensation district in which he has operations the policy covering his operations in such district which he has procured in compliance with section 32 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat 1439, 33 U S C 932) as extended by the Outer Continental Shelf Lands Act (67 Stat 462, 43 U S C 1331). Any carrier desiring to do so may make such presentation of such policy unnecessary in any particular case by transmitting to the Bureau an agreement signed by its president and secretary (or other authorized officers in cases of foreign or mutual companies or State funds) in the following form and making reports accordingly of the issuance of a policy in such particular case

The (insert name of insurance carrier) hereby agrees in consideration of the acceptance by the Bureau of Employees Compensation Department of Labor and its deputy commissioners of reports of issue of approved form of policy and endorsement under the Longshoremen's and Harbor Workers Compensation Act as amended and as extended to the outer Continental Shelf by the Outer Continental Shelf Lands Act (67 Stat 462 43 U S C Supp 1 1931) in the form prescribed by the Bureau in section 82 4 of its regulations that it will be liable and hereby accepts the full liability expressed in the approved form of endorsement under said laws in all cases in which it has heretofore and may hereafter use the prescribed form of report to deputy commissioners and transmit the same to the proper deputy commissioner the sending of such report of issue of policy to the deputy commissioner shall be accepted by the Bureau and its deputy commissioners as conclusive evidence (1) of the issuance of a policy to the employer named in such report in approved form and having attached an approved form of endorsement under applicable regulations of the Bureau and (2) of the effectiveness of such policy during the period as stated in such report and it further agrees that such liability shall not be terminated prior to the expiration of the policy except in case of cancellation and then at the time and in the manner which is prescribed in the Longshoremen's and Harbor Workers Compensation Act in the regulations of said Bureau and in the endorsement referred to

(b) An insurance carrier desiring to withdraw from such agreement may do so upon giving thirty days' notice to the Bureau by registered mail

§ 82 7 Report by employer operating temporarily in another compensation district

Where an employer having operations in one compensation district (or jurisdictional area of such district) contemplates engaging in work subject to the Outer Continental Shelf Lands Act (67 Stat 462, 43 U S C 1331) in another compensation district a carrier which has executed the agreement provided for by § 82 6 and desires to report coverage as to work performed in such other district may submit to the deputy commissioner of such latter district a report on the card form prescribed by § 82 4 containing the address of the employer in the first mentioned district with the additional notation No present address in _____ compensation district Certificate requested when address given.

§ 82 8 Name of one employer only shall be reported on one card

A separate report of the issuance of a policy and endorsement provided for by § 82 4, shall be made for each employer covered by a policy. If a policy is issued insuring more than one employer a separate card report for each employer so covered shall be sent to the deputy commissioner concerned with the name of only one employer on each such report. Unless a card report is received by the deputy commissioner for a compensation district, the deputy commissioner shall regard an employer as an uninsured employer in the particular compensation district (except in cases where such employer is a duly authorized self-insurer or the employer himself has presented a policy for inspection by the deputy commissioner)

PART 83—AUTHORIZATION OF SELF-INSURERS

Sec

- 83 1 Authorization of self-insurers
83 2 Reports required of self-insurers examination of accounts of self-insurer

AUTHORITY §§ 83 1 and 83 2 issued under sec 39 44 Stat 1442 as amended secs 2-15 67 Stat 462-470 33 U S C 939 43 U S C 1331-1343

SOURCE §§ 83 1 and 83 2 appear at 19 F R 6222 Sept 28 1954.

§ 83 1 Authorization of self insurers

The provisions of the regulations in Part 33, Subchapter C of this chapter,

shall govern the authorization of the self-insurance privilege under the Longshoremen's and Harbor Workers' Compensation Act (44 Stat 1424 33 U S C 901) as extended by the Outer Continental Shelf Lands Act (67 Stat 462, 43 U S C 1331) An application shall contain (a) a statement of the amount of the employer's payroll of employees engaged in operations within the purview of section 4 (b) of the Outer Continental Shelf Lands Act (67 Stat 463, 43 U S C 1333) for the preceding twelve months (b) a statement by classifications of the average number of employees engaged in employments within the purview of said section 4 (b) of the Outer Continental Shelf Lands Act for the preceding twelve months, (c) a statement of the number of injuries to such employees resulting in disability of more than seven days duration or in death during each of three years next preceding the date of the application, (d) an itemized statement of the assets and liabilities of the employer and current profit and loss statement (e) a description of the safety organization maintained by the employer for the prevention of injuries at his places of work (f) a description of the facilities maintained or the arrangements made for the medical and hospital care of injured employees (g) a statement describing any excess loss insurance or stop-loss insurance arrangement made by the employer, giving the name of the carrier with full details of any such excess loss coverage, and (h) a statement describing the plan adopted by the employer to set aside a reserve fund for the payment of workmen's compensation benefits (and loss adjustment expenses) under the Longshoremen's and Harbor Workers' Compensation Act as extended by the Outer Continental Shelf Lands Act Such application shall be signed by the applicant over his typewritten name and if the applicant is not an individual by the principal officer of the applicant duly authorized to make such application over his typewritten name and official designation and shall be sworn to by him If the applicant is a corporation, the corporate seal shall be affixed The application shall be filed with the Bureau The Bureau in its discretion may require the applicant to submit such further information or such evi-

dence as the Bureau may deem necessary to have in order to enable it to give adequate consideration to such application The regulations in this part shall be binding upon each applicant hereunder and the applicant's consent to be bound by all requirements of the said regulations shall be deemed to be included in and a part of the application as fully as though specifically stated in writing therein

§ 83 2 Reports required of self-insurers, examination of accounts of self-insurer

(a) At such times as the Bureau may require or prescribe each self-insurer shall submit such of the following reports as may be requested

(1) A sworn itemized statement of the self-insurer's assets and liabilities (or a balance sheet), and current profit and loss statement

(2) A sworn statement showing by classifications the payroll of employees of the self-insurer who are engaged in employments within the purview of operations described in section 4 (b) of the Outer Continental Shelf Lands Act (67 Stat 463, 43 U S C 1333)

(3) A sworn statement of payments of compensation in current cases during any specified quarter showing the nature of injury in each case

(4) A sworn statement covering the six months' period preceding the date of such report listing by compensation districts all death and injury cases which have occurred during such period together with a report of the status of all outstanding claims showing the particulars of each case

(b) Whenever it deems it to be necessary the Bureau may inspect or examine the books of account records and other papers of a self-insurer for the purpose of verifying any financial statement submitted to the Bureau by such self-insurer or verifying any information furnished to the Bureau in any report required by this section or any other section of the regulations in this subchapter and such self-insurer shall permit the Bureau by its duly authorized representative to make such an inspection or examination as the Bureau shall require In lieu of this requirement the Bureau may in its discretion accept an adequate report of a certified public accountant